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July 20, 2005

BY HAND DELIVERY

Edward D. Ryan
Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Letter dated June 15, 2005, regarding 12 Day Pre-General Report (10/1/04-10/13/04)

Dear Mr. Ryan:

On behalf my client, the Republican Party of Louisiana ("the Party"), I am writing in response to the Commission's letter dated June 15, 2005, regarding the Party's 12 Day Pre-General Report (10/1/04-10/13/04). Please note that the Party filed an amendment to the Pre-General Report on July 8, 2005. The amendment addressed an issue raised by the Commission concerning the August Monthly Report (7/1/04-7/31/04).

First, the Commission asked the Party to classify two receipts listed on Line 17 of the original Pre-General Report. On October 4, 2004, Bush-Cheney 2004, Inc. transferred \$200,000 in excess campaign funds to the Party. On October 12, 2004, The Billy Tauzin Congressional Committee transferred \$150,000 to the Party. The Federal Election Campaign Act, as amended, permits principal candidate committees to transfer unlimited sums to state political parties. See 2 U.S.C. § 439a; 11 C.F.R. § 113.2(c). Therefore, the Party properly listed the receipts on Line 17. For additional clarification, the Party has designated each itemization a "transfer of excess funds" on the accompanying amendment to the Pre-General Report.

Second, the Commission requested that the Party clarify its cash-on-hand reporting for the Pre-General Report. The Party's first amendment to the Pre-General Report, which it filed on July 8, 2005, lists the proper cash-on-hand balances for this reporting period. Reports filed by the Party list:

- A \$133,892.58 cash-on-hand balance for the close of the October Monthly reporting period (9/1/04-9/30/04).

- A \$133,892.58 cash-on-hand balance for the beginning Pre-General reporting period (10/1/04-10/13/04).
- Identical cash-on-hand balances of \$406,373.85 for the Pre-General Report's reporting period (Column A) and calendar year-to-date reporting period (Column B).

Third, the Commission requested clarification of whether disbursements listed on Schedule B were payments for public communications that qualified as expenditures, exempt party activities, or federal election activities. "Public communications" include messages in a broadcast, cable or satellite communication; newspaper; magazine; outdoor advertising facility; mass mailing or telephone bank to the general public; or any other form of general public political advertising. See 2 U.S.C. § 431(22); 11 C.F.R. § 100.26. They do *not* include communications over the Internet. See 2 U.S.C. § 431(22); 11 C.F.R. § 100.26.

To list a public communication payment properly on a Federal Election Commission disclosure form, a State party committee must analyze the content of the message. A disbursement for a public communication that refers to a clearly identified candidate for federal office and that promotes, supports, attacks, or opposes any federal candidate constitutes a "federal election activity." See 2 U.S.C. § 431(20)(A)(iii); 11 C.F.R. § 100.24(b)(3). The payment must be listed on Schedule B supporting Line 30(b). See 2 U.S.C. § 431(20); 11 C.F.R. § 100.24; F.E.C. Instructions for Form 3X (Dec. 2004).

Alternatively, payment for a public communication containing express advocacy – a message that advocates the election or defeat of a clearly identified candidate – must be disclosed as an independent expenditure on Schedule E supporting Line 24. See 2 U.S.C. § 431(17)(A); 11 C.F.R. § 100.22(a); F.E.C. Instructions for Form 3X (Dec. 2004). Disbursements for certain party activities, however, such as the distribution of slate cards, the dissemination of campaign materials by volunteers, and "get-out-the-vote" drives for Presidential nominees, are exempt from the "expenditure" definition. See 11 C.F.R. §§ 100.140, 100.147, and 100.149. The payments may be reported as "federal operating expenditures" on Schedule B supporting line 21(b). See 11 C.F.R. §§ 100.140, 100.147, and 100.149; F.E.C. Instructions for Form 3X (Dec. 2004). See also Campaign Guide for Political Party Committees, at 38 (Aug. 2004).

The Party disclosed the following disbursements on Line 30(b) of its Pre-General Report.

- A \$7,225 payment to Giles & Associates on October 1, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$11,450 payment to Giles & Associates on October 6, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer

activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.

- A \$11,450 payment to Giles & Associates on October 12, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$11,031.61 payment to First American Printing & DM on October 5, 2004. The purpose of the disbursement was for "FEA Printing." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$30,520 payment to Screen Printing Press on October 11, 2004. The purpose of the disbursement was for "FEA Printing." The Party's accompanying amendment to this report explains that the purpose of the disbursement was to purchase Yard Signs, an exempt volunteer activity. Therefore, the Party has listed the payment on Line 21(b).
- A \$980 payment to Thomas Graphics on October 5, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$50,000 payment to the United States Postal Service on October 1, 2004. The purpose of the disbursement was for "FEA Postage." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$14,587.80 payment to Franklin Direct Mail & Printin[g] on October 5, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$14,587.80 payment to Franklin Direct Mail & Printin[g] on October 6, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$14,587.80 payment to Franklin Direct Mail & Printin[g] on October 12, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.

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- A \$7,225 payment to Giles & Associates on October 5, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$3,000 payment to Giles & Associates on October 13, 2004. The purpose of the disbursement was for "FEA Direct Mail." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.
- A \$10,218.80 payment to Targeted Creative Communications on October 5, 2004. The purpose of the disbursement was for "FEA Printing." The payment qualified as an exempt volunteer activity. Therefore, the Party disclosed the disbursement on Line 21(b) of the accompanying amendment to the Pre-General Report.

Fourth, the Commission requested a clarification of the terms "Admin – Professional Services, FEA Consulting, and Professional Services," which the Party used to describe disbursements listed on Schedule B and Schedule H4 of its original Pre-General Report. The Party's report listed ten disbursements with these descriptions:

- A \$6,250 payment to Sentinal 21 on October 6, 2004 for "FEA Consulting." The Party's accompanying amendment explains that the purpose of this disbursement was for "Volunteer Coordination." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$2,000 payment to Direct Mailing Service, Inc. on October 7, 2004 for "FEA Consulting." The Party's accompanying amendment explains that the purpose of this disbursement was for "Strategy Consulting." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$500 payment to Sean Riecke on October 11, 2004 for "FEA Consulting." The Party's accompanying amendment explains that the purpose of this disbursement was for a "Campaign Coordinator." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$1,000 payment to SSW and Associates on October 8, 2004 for "FEA Consulting." The Party's accompanying amendment explains that the purpose of this disbursement was for a "Grassroots Coordinator." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$200 payment to Catherine Clifford on October 6, 2004 for "Admin – Professional Services." The Party's accompanying amendment explains that the purpose of this

disbursement was for "Janitorial Services." This disbursement was not on behalf of any specifically identified federal candidate.

- A \$200 payment to Anna Thompson on October 6, 2004 for "Admin -- Professional Services." The Party's accompanying amendment explains that the purpose of this disbursement was for "Clerical Services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$450 payment to Connor Best on October 6, 2004 for "Admin -- Professional Services." The Party's accompanying amendment explains that the purpose of this disbursement was for "Clerical Services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$140 payment to Jeanne Leveque on October 6, 2004 for "Admin -- Professional Services." The Party's accompanying amendment explains that the purpose of this disbursement was for "Clerical Services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$330.50 payment to Catherine Clifford on October 6, 2004 for "Admin -- Professional Services." The Party's accompanying amendment explains that the purpose of this disbursement was for "Janitorial Services." This disbursement was not on behalf of any specifically identified federal candidate.
- A \$2,000 payment to Postlethwaite & Netterville on October 6, 2004 for "Admin -- Professional Services." The Party's accompanying amendment explains that the purpose of this disbursement was for "Accounting Services." This disbursement was not on behalf of any specifically identified federal candidate.

Finally, the Commission has asked the Party to clarify all expenditures made for a "Facility Rental" on Schedule B and Schedule H4 of the original Pre-General Report.

- On Schedule B, the Party's report listed a \$2,750 payment to 401 Veterans Limited on October 1, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.
- On Schedule B, the Party's report listed a \$3,000 payment to MPW Properties on October 5, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.

Edward D. Ryan

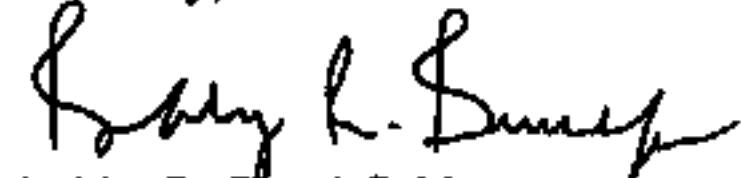
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- On Schedule H4, the Party's report listed a \$1,286 payment to Jacquin Grand Children, LLC on October 1, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.
- On Schedule H4, the Party's report listed a \$1,925 payment to R&C Properties, LLC on October 1, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for an office rental. The Party did not rent the office on behalf of any specifically identified federal candidate.
- On Schedule H4, the Party's report listed a \$44 payment to The Storage Center on October 6, 2004. The purpose of the disbursement was listed as a "Facility Rental." In response to the Commission's request, the Party has amended the purpose of disbursement to clarify that the payment was for office storage rental. The Party did not rent the storage space on behalf of any specifically identified federal candidate.

If you have questions or require additional information, please do not hesitate to contact me at (202) 756-8003.

Sincerely,



Bobby R. Burchfield

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Federal Election Commission
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